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OFFICE OF PETITIONS

In re Application of :
Katz :
Application No. 09/505,915 :
Filed: February 17, 2000 :
Attorney Docket No. 6046-101D8 :
For: COMMERCIAL PRODUCT ROUTING :
SYSTEM WITH VIDEO VENDING :
CAPABILITY :

ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed November 2, 2008, requesting that the Office withdraw the holding of abandonment of the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

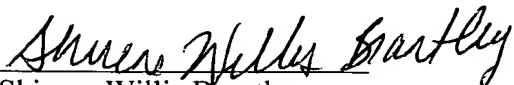
This application was held abandoned for failure to respond in a timely and proper manner to the final Office action, mailed March 21, 2008, which set forth an extendable three (3) month period for reply. Applicants filed a petition for a three month extension of time, accompanied by the required fee, and a Notice of Appeal, accompanied by the required fee, on September 29, 2008 (certificate of mailing date September 22, 2008). A Notice of Abandonment was mailed on October 29, 2008.

Petitioner requests withdrawal of the holding of abandonment based on the assertion that the request for a three month extension of time and Notice of Appeal were timely filed. The undersigned finds this argument completely convincing, as these documents are present in the application file and Office financial records show that the required three month extension of time fee and the required Notice of Appeal fee were charged on accounting date September 29, 2008. The certificate of mailing date for the filing was September 22, 2008 (a Monday). Therefore, the Notice of Appeal was timely filed.

The petition under 37 CFR 1.181 is **granted**, the holding of abandonment is withdrawn, and the October 29, 2008 Notice of Abandonment is **vacated**. No petition fee has been or will be charged in connection with this matter.

The application file will be forwarded to Technology Center A.U. 2614 to await receipt of a proper follow-up submission to the Notice of Appeal.

Telephone inquiries pertaining to this matter may be directed to the undersigned at (571) 272-3230.


Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions